

**REMARKS**

Reconsideration of all grounds of rejection and allowance of the pending claims are respectfully requested in light of the above amendments and the following remarks.

Claims 1-27, as shown above, remain pending herein.

(1) Claims 1, 3 and 23 stand rejected under 35 U.S.C. §102(a) as allegedly anticipated by "XML Fragment Interchange, W3C Working Draft, 1999 June 30" , (hereafter "W3C Working Draft"). Applicants respectfully traverse this ground of rejection.

Applicants respectfully submit that instant claims 1 and 23 have been amended to recite, *inter alia*:

generating at least one structure node **that is** associated with a predetermined number of said content nodes **and performs a sub-tree wrapper function that indicates a relationship of the at least one sub-tree with regard to other independent sub-trees having their own respective structure nodes, so as** to encode a structure of **said** at least one respective sub-tree **independent of the** ~~relative to~~ other sub-trees within a larger XML document tree and for indicating where said content nodes are positioned within at least one respective sub-tree.

7

Support for the above change is found in the specification at least at page 5, lines 24-30. Thus, in the presently claimed invention, each structure node serves as a sub-tree wrapper function around each independent sub-tree. This encoding has an advantage in that on the receiver end there can be a reconstruction of the full tree without all of the streamed XML content being received.

It is respectfully submitted that the W3C Working Draft fails to disclose or suggest anything with regard a structure node serving as a sub-tree wrapper function.

For at least this reason, none of the present claims are anticipated by W3C Working Draft. Reconsideration and withdrawal of this ground of rejection are respectfully requested.

(2) Claims 2, 4, 6-9, 11-14, 16-22 and 24-27 stand rejected under 35 U.S.C. §103(a) over W3C Working Draft. Applicants respectfully traverse this ground of rejection.

First with regard to any claims dependent from claim 1, it is respectfully submitted that such dependent claims are allowable at least for the reason that claim 1 is believed to be allowable, for the reasons discussed in section (1). Claim 1 is novel and would have been non-obvious to a person of ordinary skill in the art at the time of invention, even with knowledge of W3C Working Draft. Reconsideration and withdrawal of this ground of rejection are respectfully requested.

With regard to base claims 6 and 11, Applicants respectfully submit that these claims have been amended (as recited in claim 6) that:

**generating at least one structure node associated with each group of said independent sub-trees, said structure node identifying content nodes included in said ~~and~~ corresponding to a particular group of independent sub-tree—sub-trees and indicating where ~~said the particular group of independent sub-tree is~~ sub-trees are positioned relative to other groups of independent sub-trees within said larger XML document.**

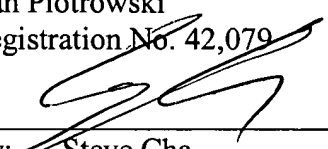
A similar change was made to claim 11. Applicants respectfully submit that W3C Working Draft fails to disclose or suggest the recited language, as the reference fails to disclose or suggest that structure nodes associated with sub-trees are independent of other structure nodes, and that the independent sub-trees can be positioned with the large XML document.

Applicants respectfully submit that base claims 16, 20, and 24-27 have also been amended to reflect somewhat similar language (some are for receivers rather than transmitters) and for at least this reason would not have been disclosed or suggested to an artisan in view of W 3C Working Draft. Reconsideration of this ground of rejection is respectfully requested.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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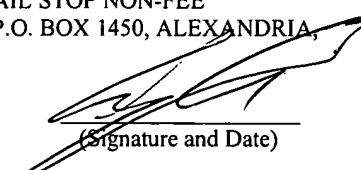
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